

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CAPITOL RECORDS, LLC, *et al.*,

Plaintiffs,

v

VIMEO, LLC d/b/a VIMEO.COM, *et al.*,

Defendants.

CASE NO. 09 CV 10101 (RA)

EMI BLACKWOOD MUSIC, INC., *et al.*,

Plaintiffs,

v

VIMEO, LLC d/b/a VIMEO.COM, *et al.*,

Defendants.

CASE NO. 09 CV 10105 (RA)

SUPPLEMENTAL DECLARATION
OF JESSICA A. ROSE

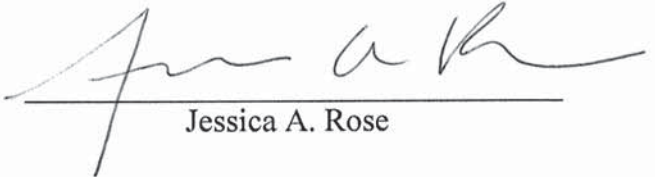
I, Jessica A. Rose, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am an attorney at the law firm of Quinn Emanuel Urquhart & Sullivan, LLP, attorneys for Defendants Vimeo, LLC d/b/a Vimeo.com and Connected Ventures, LLC, (collectively, "Vimeo"). I submit this declaration in further support of Defendants' Motion for Summary Judgment Pursuant to the DMCA Safe Harbor and in opposition to Plaintiffs' Motion for Partial Summary Judgment.

2. Attached hereto as **Exhibit 1** is a true and correct copy of the video that had been located on Vimeo's website at the URL <http://www.vimeo.com/130432>, identified on Schedule A of plaintiff EMI's complaint. Because Vimeo removed the video from its website upon receiving Plaintiffs' complaints in December 2009, it cannot be accessed by the Court on Vimeo's website.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

DATED: November 28, 2012
New York, New York



Jessica A. Rose